

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) Optical biopsy instrument (100), comprising
 - (a) a substantially cylindrical cannula (22) with a proximal end (24) and a distal end (26), said cannula (22) having at least one lateral opening (28) in a side surface of said cannula, and
 - (b) an endoscope (10) which is axially movable inside the cannula (22) and is adapted to separate a tissue sample brought through the lateral opening from the rest of the tissue.
2. (Original) Optical biopsy instrument (100) according to claim 1, characterized in that the at least one lateral opening (28) of the cannula (22) has at least in parts a cutting region (30) at its area being directed towards the distal end (26) and/or at its area being directed towards the proximal end (24).
3. (Original) Optical biopsy instrument (100) according to claim 2, characterized in that the cutting region (30) is formed by a ground edge of the circumference of the at least one lateral opening (28) or by a tothing of the circumference or by both measures concurrently.

4. (Previously Presented) Optical biopsy instrument (100) according to claim 1, characterized in that the at least one lateral opening (28) has a substantially round, oval, elliptic or rectangular configuration.
5. (Currently Amended) Optical biopsy instrument (100) according to claim 1, characterized in that the cannula (22) is closed at its distal end (26) by a ~~wall, in particular by a~~ transparent wall.
6. (Previously Presented) Optical biopsy instrument (100) according to claim 1, characterized in that an external diameter of the endoscope (10) substantially corresponds to an internal diameter of the cannula (22) or is slightly smaller than this.
7. (Previously Presented) Optical biopsy instrument (100) according to claim 1, characterized in that an external diameter of the cannula is 1.2 mm at most.
8. (Previously Presented) Optical biopsy instrument (100) according to claim 1, characterized in that the endoscope (10) is a rigid endoscope or a flexible glass-fibre endoscope.

9. (Currently Amended) Use of an optical biopsy instrument (100) according to claim 1 for endoscopy and/or biopsy of ~~duct systems having small diameters, in particular of~~ milk ducts of mammary glands.
10. (Currently Amended) Method for sampling tissue samples in duct systems, wherein
- (a) an optical biopsy instrument (100), comprising
 - a substantially cylindrical cannula (22) with a proximal end (24) and a distal end (26), said cannula (22) having at least one lateral opening (28) in a side surface of said cannula, and
 - an endoscope (10) which is axially movable inside the cannula (22)is introduced, under endoscopic monitoring, into the duct up to a biopsy site,
 - (b) the tissue sample (34) is brought through the ~~free-lying~~ lateral opening (28) into an interior of the cannula (22), and
 - (c) the tissue sample (34) is separated from the rest of the tissue by moving forward the endoscope (10) across the lateral opening (28) and/or by retracting the endoscope (10), until the lateral opening (28) is closed.

11. (Currently Amended) Method for sampling tissue samples in duct systems, wherein

- (a) an optical biopsy instrument (100), comprising
 - a substantially cylindrical cannula (22) with a proximal end (24) and a distal end (26), said cannula (22) having at least one lateral opening (28) in a side surface of said cannula, and
 - an endoscope (10) which is axially movable inside the cannula (22)is introduced, under endoscopic monitoring, into the duct, until the lateral opening (28) comes to lie over a biopsy site,
- (b) the tissue sample (34) is brought through the ~~free-lying~~ lateral opening (28) into an interior of the cannula (22), and
- (c) the tissue sample (34) is separated from the rest of the tissue by moving the cannula (22) ~~having a free-lying lateral opening (28)~~ together with the fixed endoscope (10) forward or backward, thereby manually exerting a gentle pressure against the tissue sample (34).

12. (New) The optical biopsy instrument according to claim 1, wherein the at least one lateral opening includes cutting teeth.

13. (New) An optical biopsy instrument (100), comprising:

- (a) a substantially cylindrical cannula (22) with a proximal end (24) and a distal end (26), said cannula (22) having at least one lateral opening (28) in a side surface of the cannula (22), and
- (b) an endoscope (10) which is axially movable inside the cannula (22), wherein a clearance formed between the cannula (22) and the endoscope (10) is selected such that a separation of a tissue sample from a tissue is enabled by relatively moving at least one of the cannula (22) and the endoscope (10) against each other.